

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:16-CV-285**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

RICHARD W. DAVIS, JR.,

Defendant,

and

DCG REAL ASSETS, LLC, *et al.*,

Relief Defendants.

**ORDER APPROVING TWELFTH
APPLICATION FOR COMPENSATION
TO GRIER WRIGHT MARTINEZ, PA,
ATTORNEYS FOR THE RECEIVER**

This matter came before the Court upon the *Twelfth Application for Compensation to Grier Wright Martinez, PA, Attorneys for the Receiver* filed on July 26, 2019 (Doc. No. 267) (the “Fee Application”) by A. Cotten Wright, as the duly-appointed receiver in the above-captioned action (the “Receiver”), through counsel. The Court finds and concludes as follows:

Notice of the Fee Application was served upon the parties hereto as required by law. No party in interest filed a timely objection to the Fee Application.

It appears that the Fee Application conforms to the Billing Instructions for Receivers in Civil Actions Commenced by the U.S. Securities and Exchange Commission.

Grier Wright Martinez, PA has rendered valuable services to the Receiver during this civil proceeding, for which Grier Wright Martinez, PA has received no compensation and the reasonable value of services as yet uncompensated is at least \$5,346.00.

Grier Wright Martinez, PA is also entitled to reimbursement of actual and necessary expenses incurred in the administration of the receivership in the amount of \$737.30.

The Orders appointing the Receiver limit the compensation and expense reimbursement available to the Receiver’s professionals to thirty percent (30%) of any net recovery. Therefore, the Court approves the Twelfth Application for Compensation on the condition that any payment by the Receiver of the compensation approved herein shall be limited 30% of the total net amount recovered by the Receiver over the course of this case prior to deducting administrative expenses.

IT IS, THEREFORE, ORDERED that

1. The Fee Application is **APPROVED**;
2. Grier Wright Martinez, PA is **AWARDED** professional fees in the amount of \$5,346.00 and reimbursement of expenses in the amount of \$737.30; and
3. The Receiver is **AUTHORIZED**, upon the Receiver's recovery of additional funds and without further order by the Court, to compensate Grier Wright Martinez, PA for any approved but unpaid fees and expenses in an amount not in excess of 30% of such additional funds, such that at no time shall the total compensation paid to the Receiver's professionals over the course of this case exceed 30% of the total net amount recovered by the Receiver over the course of this case prior to deducting administrative expenses.

SO ORDERED.

Signed: August 29, 2019

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

